

Quantities (VEQ) and VEQ-Subdivided Items (VEQ-SI) clauses. During performance, Met-Pro excavated 3832.5 CY of petroleum contaminated soil under CLIN 2. The district paid Met-Pro \$40/CY for the overrun quantities and granted Met-Pro a 94.54 day time extension. Met-Pro submitted a \$678,689.77 claim to the CO based on variations in estimated quantities (VEQ) and differing site conditions. The claim included a costs of \$101.46/CY for sub line item 2B chiefly based on the unforeseen need to purchase and transport clean backfill to the site.

The Board (Judge James) sustained Met-Pro's appeal. The Corps took the position that Met-Pro was barred by the VEQ-SI clause from increasing its unit price for sub line item 2B. Met-Pro argued it was permitted such an increase because the overrun experienced was a differing site condition. The Board held that the overrun was caused by a type I differing site condition. The Board found that the Corps expected 400 CY of material to be removed under CLIN 2 and that Met-Pro relied on this estimate in preparing its bid. The Board then found that neither the VEQ nor the VEQ-SI clauses barred Met-Pro from receiving increased unit costs for excavation under the differing site condition clause. Therefore, the Board sustained the appeal.

UPCOMING PARC TALKS

16 June 1998 Hazardous Waste Action Coalition (HWAC) Business Conference, Baltimore Inner Harbor, Panel on Performance-Based Contracting, 1045-1215 hours

18 June 1998 Corps of Engineers Commanders Course - Washington Week, 1998, Panel Discussion coordinator, 1530-1645.

6-10 July 1998 Project delivery Team Conference - Baltimore, Maryland

20 August 1998 Annual Meeting of the Associated General Contractors of America (AGC)

and HQUSACE, Washington, DC 0800-1500 hours.

26-27 August 1998 Army Roadshow - Dallas, Texas

IMPORTANT NOTES

CENTRAL CONTRACTOR REGISTRATION (CCR):
It now appears as though the March 31, 1998 date by which contractors must be registered in the CCR database will be extended. The new date is May 31, 1998.

DEFENSE ACQUISITION CIRCULAR (DAC 91-13):
The long-awaited DAC 91-13 was published in the Federal Register (Vol. 63, No. 45) Monday, March 9, 1998. It should be posted on the OSD web page within the next few days.